

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Winston-Salem Division

IN RE:

Robert Wayne Whipkey a/w
Cheryl Ives Whipkey,

Case No. B 12-51178 C-7W

Debtor(s).

**MOTION TO VACATE ORDER FILED AUGUST 16, 2013
ON TRUSTEE'S OBJECTION TO CLAIMS**

TO: Catharine R. Aron
UNITED STATES BANKRUPTCY JUDGE

Now comes Edwin H. Ferguson, Jr., Trustee in Bankruptcy for Robert Wayne Whipkey a/w Cheryl Ives Whipkey Debtor, who respectfully moves the Court to issue an Order to Vacate a proposed Order filed on August 16, 2013 on Trustee's Objections to Claim Number 4, 6, 10 & 14.

Respectfully submitted August 19, 2013.

/s/ Edwin H. Ferguson, Jr.

Edwin H. Ferguson, Jr.
Ferguson, Scarbrough, Hayes, Hawkins, & DeMay, PA
ATTORNEY FOR TRUSTEE
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P.O. Box 444
Concord, North Carolina 28026-0444
Telephone: (704) 788-3211
State Bar No. 6148

CERTIFICATE OF SERVICE

I, Edwin H. Ferguson, Jr., attorney for Trustee do hereby certify that I served a copy of the foregoing MOTION TO VACATE PROPOSED ORDER FILED AUGUST 16, 2013 by electronic service only upon:

William P. Miller
U.S. Bankruptcy Court Administrator
Federal Law Center
101 South Edgeworth Street
Greensboro, NC 27402

And upon the following by depositing a copy of the aforesaid document in an envelope in the exclusive care and custody of the U.S. Postal Service with sufficient postage thereon addressed to them at the aforesaid address.

Edwin H. Ferguson, Jr.
Trustee in Bankruptcy
P.O. Box 444
Concord, NC 28026-0444

American InfoSource LP, as agent for
Capital One Bank USA, NA
PO Box 71083
Charlotte, NC 28272-1083

Capital One, NA
c/o Bass & Associates, PC
3936 E. Ft. Lowell Road, Suite 200
Tucson, AZ 85712

The Bank of New York Mellon, et al c/o
Prober & Raphael, A Law Corporation
PO Box 4365
Woodland Hills, CA 91365-4365

Respectfully submitted August 19, 2013.

/s/ Edwin H. Ferguson, Jr.

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